

REMARKS

Claims 1-6 and 13-18 are pending in the Application. Claims 4-6 and 13-18 are allowed. Claims 1-3 are rejected under 35 U.S.C. §103(a). Applicants respectfully traverse these rejections for at least the reasons stated further below and respectfully request that the Examiner reconsider and withdraw these rejections.

Applicants' amended claim 1 by inserting the phrase "wherein the first portion corresponds to a memory region of the semiconductor device" and inserting the phrase "wherein the second portion corresponds to a logic region of the semiconductor device" as indicated above. Support for the amendments may be found at least on page 10, line 7 – page 15, line 5 of the Specification and Figures 4A-B and 5A-C.

I. REJECTIONS UNDER 35 U.S.C. §103(a):

The Examiner has rejected claims 1-3 as being unpatentable over Chung et al. (U.S. Patent No. 6,184,142) (hereinafter "Chung"). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request that the Examiner reconsider and withdraw these rejections.

Applicants respectfully assert that Chung does not teach or suggest "wherein the first portion corresponds to a memory region of the semiconductor device" as recited in claim 1. Applicants further assert that Chung does not teach or suggest "wherein the second portion corresponds to a logic region of the semiconductor device" as recited in claim 1. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 1, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

II. CONCLUSION

As a result of the foregoing, it is asserted by Applicants that claims 1-6 and 13-18 in the Application are in condition for allowance, and Applicants respectfully request an allowance of such claims. Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues

Respectfully submitted,

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